

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



|                                 |   |                      |
|---------------------------------|---|----------------------|
| SAN MATEO CITY SCHOOL DISTRICT, | ) |                      |
|                                 | ) |                      |
| Charging Party,                 | ) | Case No. SF-CO-281   |
|                                 | ) |                      |
| v.                              | ) | PERB Order No. IR-48 |
|                                 | ) |                      |
| SAN MATEO ELEMENTARY TEACHERS   | ) | November 4, 1985     |
| ASSOCIATION, CTA/NEA,           | ) |                      |
|                                 | ) |                      |
| Respondent.                     | ) |                      |
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Appearances; Littler, Mendelson, Fastiff & Tichy by Larry P. Schapiro for San Mateo City School District; Ramon Romero, Attorney, California Teachers Association for San Mateo Elementary Teachers' Association, CTA/NEA.

Before Hesse, Chairperson; Jaeger and Porter, Members.

DECISION AND ORDER

HESSE, Chairperson: This matter came before the Public Employment Relations Board (PERB or Board) in response to an unfair practice charge and request for injunctive relief filed by the San Mateo City School District (District) against the San Mateo Elementary Teachers Association (Association). Pending resolution of the unfair practice charge, the District asked PERB to seek injunctive relief to halt a work stoppage by Association members, pursuant to San Diego Teachers Association v. Superior Court (1979) 24 Cal.3d 1 and PERB Regulation 32450.<sup>1</sup> After an investigation by PERB's general counsel,

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<sup>1</sup>PERB Regulations are codified at California Administrative Code, title 8, section 31001 et seq.

the Board finds that (1) a work stoppage is in progress, and (2) the District and the Association have not completed the statutory procedures to resolve impasse found at Government Code sections 3548-3548.4.<sup>2</sup> Thus, injunctive relief is just and proper. We hereby ORDER the general counsel to seek injunctive relief to halt the Association's strike.

Members Jaeger and Porter joined in this Decision.

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<sup>2</sup>**The** Educational Employment Relations Act is codified at Government Code section 3540 et seq.